

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MEDIATEK INC.,

Plaintiff,

vs.

FREESCALE SEMICONDUCTOR, INC.,

Defendant.

Case No.: 11-cv-5341 YGR

**ORDER DENYING IN PART AND GRANTING IN
PART MOTION TO SEAL**

On October 18, 2013, MediaTek Inc. (MediaTek) filed a Stipulated Administrative Motion to File Documents Under Seal (“Motion”) (Dkt. No. 285). The Motion seeks to seal portions of MediaTek’s Letter Opposing Freescale’s Letter Seeking Leave to Move for Summary Judgment (“the MediaTek Letter”).

Freescale Semiconductor, Inc. (Freescale) has filed a declaration from Mark Patrick, Law Director, Intellectual Property, for Freescale, pursuant to Civil Local Rule 79-5¹ (the Patrick Declaration) in support of the Motion. The Patrick Declaration states that the information in Sections II.A. and II.B of the MediaTek Letter discusses highly confidential technical details of Freescale’s accused products, disclosure of which would allow Freescale’s competitors to learn information about the function and operation of those product families and possibly appropriate that technology. As to the information sought to be sealed in Section III, Patrick declares that this reveals

¹ The Court notes that the Patrick Declaration also indicates that it was filed under General Order No. 62. However, General Order No. 62 was abrogated October 1, 2013, by the amendments to Local Rule 79-5.

1 information on negotiations between Freescale and its customers, payment, marketing, and technical
2 support from which competitors could derive an understanding of Freescale's confidential business
3 strategies. Freescale withdrew its confidentiality designations as to the information redacted in
4 Sections I.A and I.B of the MediaTek Letter.

5 The Court finds that this showing is sufficient to establish good cause for sealing this
6 information in connection with a non-dispositive motion. *See Apple, Inc. v. Samsung Electronics,*
7 *Co., Ltd.*, 727 F.3d 1214 (Fed. Cir. 2013) (applying Ninth Circuit law). Accordingly, for good cause
8 shown, the Court **GRANTS** MediaTek's Motion to File Under Seal and **ORDERS** that the MediaTek
9 Letter, redacted portions in Sections II.A., II.B and III only, shall be **SEALED**.

10 MediaTek shall file a revised redacted version of the document, consistent with this Order,
11 **within 7 days**. *See* Local Rule 79-5(f)(3).

12 This Order terminates Docket No. 285.

13 **IT IS SO ORDERED.**

14 Dated: October 23, 2013

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17 YVONNE GONZALEZ ROGERS
18 UNITED STATES DISTRICT COURT JUDGE
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